

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
In re VEECO INSTRUMENTS, INC. : Case No.: 7:05-md-01695 (CM)(GAY)  
SECURITIES LITIGATION :  
----- X  
----- X  
THIS DOCUMENT RELATES TO :  
ALL ACTIONS :  
----- X

**DECLARATION OF PHYLLIS M. PARKER IN SUPPORT  
OF PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION IN *LIMINE* TO  
PRECLUDE EVIDENCE REGARDING VEECO'S USE OF FISCAL QUARTERS**

Phyllis M. Parker, hereby declares as follows:

I, Phyllis M. Parker, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746  
that the following is true and correct:

1. I am a lawyer of the law firm Berger & Montague, P.C., lead counsel for Lead  
Plaintiff in this litigation.

2. I submit this Declaration in support of Plaintiffs' Response to Defendants' Motion  
in *Limine* to Preclude Evidence Regarding Veeco's Use of Fiscal Quarters.

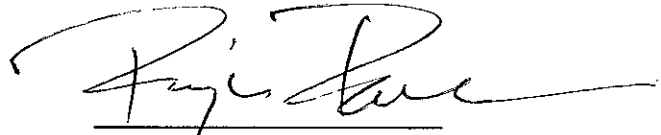
3. Attached hereto as Exhibits are true and correct copies of the following, which are  
being filed *under seal* pursuant to the Confidentiality Order dated May 16, 2006:

| <u>Exhibit No.</u> | <u>Description</u>   |
|--------------------|--|
| A                  | Veeco 2004 Form 10-K, p. 38  |
| B                  | VECO 0191985-86  |
| C                  | Robert W. Berliner Supplemental Report, dated June 12, 2007, p. 9          |
| D                  | Excerpts from deposition transcript of Steven C. Amato, dated May 17, 2007 |

E

Excerpts from deposition transcript of David G. Bonagura, dated  
April 18, 2007

Dated: June 13, 2007

  
Phyllis M. Parker

416666\_00.wpd